

REMARKS

Initially, the Applicants note that new patent counsel has been obtained for this application. In accordance with the Power of Attorney provided herewith, please direct all further communications on this matter to the undersigned attorney. Also, if possible, the undersigned requests that the Attorney Docket No. for this application be changed to EZL.P.US0001. The undersigned thanks the Examiner for her cooperation.

Continuing to the Office Action, the Applicants thank the Examiner for noticing that the specification corrections previously submitted were incorrect. Proper amendments to the specification are submitted herein with correct pages and lines for replacement paragraphs.

In light of the proper amendments to the specification, Applicants understand that the objection to the Drawings will be withdrawn. Accordingly, Applicant respectfully requests the Examiner to enter the proposed amendments to the specification.

Turning to the claims, the Examiner has rejected claims 1-4(sic) and 7-8 under 35 U.S.C. 112, second paragraph, as being indefinite in that claims 1 and 4 are grammatically incorrect. Applicants have amended claims 1 and 4 and believe such grammatical errors are no longer present in the claims.

Finally, turning to the prior art rejections, the Examiner has rejected claim 1, 3, 4 and 8 under 35 U.S.C. 103(a) as being obvious and, therefore, unpatentable over Roesch U.S. Patent No. 3,067,789 in view of Little U.S. Patent No. 1,704,440 or Listebarger U.S. Patent No. 1,936,984, and rejected claim 7 under 35 U.S.C. 103(a) as being obvious and, therefore, unpatentable over Roesch in view of Little or Listebarger as applied above, and in further view of Smith U.S. Patent No. 2,233,371 or Gambardella U.S. Patent No. 3,049,159.

Having reviewed the prior art yet again, the Applicants now believe that the claims as amended and added are patentably distinct from the prior art. The Applicants have added new claims 9 and 10. New claim 9 essentially re-establishes former claim 2 that was previously incorporated into claim 1. As amended claim 1 has been differentiated from the prior art on other grounds, former claim 2, now claim 9, has been re-established. Further, new claim 10 has been established to more particularly point out the thrust of old claim 6 that was previously

incorporated into claim 1. As amended claim 1 differentiates the prior art on other grounds, the context of claim 6 has been reasserted in claim 10.

Turning to the merits of the prior art rejections, the Examiner first asserts that Roesch discloses all of the claimed subject matter except for having an offset hub center. Applicants respectfully disagree. Roesch teaches a tire mounting and spinning device. That is, it discloses a device for supporting a *tire*, not a hub and tire assembly. A careful reading of the Roesch reference discloses that the “drum” 13 is a part of the actual apparatus used for supporting a tire, *i.e.*, part of the *tire* engagement and stop structure if you will. Moreover, a hub (often called a wheel in the prior art) is not disclosed in Roesch and, in fact, cannot be included with the tire in Roesch, because the drum 13 provides a plurality of axially spaced seats 24 for a bead 25 of a tire 26. (See Col. 2, lines 47-50 of Roesch). If a wheel hub was used, the drum could not seat the bead as required. Moreover, the Applicants note that Roesch also refers to a “hollow axial hub 14” (Col. 2, line 34), but this hub refers to the part of the drum 13 that covers the spindle 5, and is again a part of the *tire* engagement and stop structure, not a *wheel* hub. Clearly, Roesch teaches the ability to pivot its drum 13 from a horizontal position to a relatively vertical position for use with a tire. However, that is as far as Roesch goes. It does not include a hub engagement and stop structure as claimed as it does not engage a *hub*. Further, it does not include a hub and tire assembly, and particularly, does not include a *hub*. Still further, it does not include a central opening of a hub for engagement. Clearly, the Roesch reference does not teach the present invention.

Moreover, neither Little nor Listebarger teach the present invention, either individually or in any combination with Roesch. In Little, a collapsible holding device for bags or tubes employed in the building of pneumatic tire casings is shown. Like Roesch, Little does not disclose a hub and tire assembly, but rather only the tire tubes for pneumatic tires. It does not even suggest tires! Again, the holding device of Little can be horizontal or moved to vertical, but it simply does not teach a tire inflation and handling assistance device as now claimed. There simply is not hub or central opening of the hub claimed in Little.

In Listebarger, the closest prior art, a stand for carrying a wheel and a tire is disclosed.

However, the approximately vertical position of the stand in Listebarger is used to change a tire having a drop center type of wheel rim. Listebarger says nothing about facilitating engagement of or removal of the hub and tire assembly to and from the hub engagement and stop structure, as does the tilted position of the present invention. Moreover, as now claimed, the present invention requires the central opening of the hub to be over the support member when the hub and tire assembly is in the first substantially horizontal position. This is contrary to the requirements of Listebarger, wherein the stand is designed to be placed close to a wall. In Listebarger, the hub and tire assembly would necessarily protrude beyond the vertical standard 2 and prevent the stand from being placed close to a wall if the central opening of a hub was over the support member.

Neither Smith nor Gambardella disclose the present invention as claimed either. Smith is a wheel machine for working on wheels and does not disclose the use of tires, while Gambardella discloses a wheel support and lock for a tire mounting apparatus that does not pivot to a horizontal position.

Finally, support for the amendments provided to the claims can be found throughout the specification, including the drawings, as well as at pages 3, 4, 8, 10, and 13-16. It is respectfully submitted that none of the amendments add new matter and, therefore, it is respectfully requested the these amendment be entered.

In light of the foregoing amendments and argument presented above, Applicants believe their invention is patent over the cited prior art. Accordingly, Applicants respectfully request reconsideration of the application with a view toward allowance. A Notice of Allowance of Claims 1, 3, 4, and 7-10 is earnestly solicited. Should the Examiner wish to discuss any of the foregoing in more detail, the undersigned attorney would welcome a telephone call.

No new claims have been added and therefore no additional fees are believed due at this time. However, should a fee be required for the filing of this document and is missing or insufficient, the undersigned attorney hereby authorizes the Commissioner to charge payment of any fees associated with this communication or to credit any overpayment to Deposit Account No. 18-0987.

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Respectfully submitted,

A handwritten signature in cursive script, reading "Rodney L. Skoglund".

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